

EXHIBIT 1

Jennifer M. Bryan

August 19, 2007

1
IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

 American Pan Company, :
 Plaintiff, :
 vs. : Case No. 3:06 CV 0197
 Lockwood Manufacturing, Inc., : Judge Thomas M. Rose
 Defendant. :

DEPOSITION OF JENNIFER M. BRYAN

Taken at Bricker & Eckler LLP
 100 South Third Street
 Columbus, OH 43215
 July 19, 2007, 1:25 p.m.

 Spectrum Reporting LLC
 333 Stewart Avenue, Columbus, Ohio 43206
 614-444-1000 or 800-635-9071
 www.spectrumreporting.com

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2 Thursday Afternoon Session
 3 July 19, 2007, 1:25 p.m.
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S T I P U L A T I O N S

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 6 It is stipulated by counsel in attendance that
 7 the deposition of Jennifer M. Bryan, a witness
 8 herein, called by the Plaintiff for
 9 cross-examination, may be taken at this time by
 10 the notary pursuant to notice and subsequent
 11 agreement of counsel that said deposition may be
 12 reduced to writing in stenotypy by the notary,
 13 whose notes may thereafter be transcribed out of
 14 the presence of the witness; that proof of the
 15 official character and qualification of the notary
 16 is waived.

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A P P E A R A N C E S

ON BEHALF OF PLAINTIFF:

Bailey Cavalieri
 10 West Broad Street, 21st Floor
 Columbus, OH 43215
 By W. Evan Price, II, Esq.
 Robert R. Dunn, Esq.
 R. Cliffton Gibbs, Esq.

ON BEHALF OF DEFENDANT:

Mueller, Smith & Matto
 7700 Rivers Edge Drive
 Columbus, OH 43235-1355
 By Edward A. Matto, Esq.
 and
 Bricker & Eckler LLP
 100 South Third Street
 Columbus, OH 43215
 By James P. Schuck, Esq.

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 (Exhibits attached to original transcript.)

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1	Q.	Spell that last name.	9	1	Q.	Are these documents located anywhere else other than on your computer?	11
2	A.	S-C-M-I-D-T.		2	A.	I would assume at the CM Products -- on the CM Products network and individual laptops.	
3	Q.	Who else at Chicago Metallic had access to these PDF files?		5	Q.	The individual laptops of Chicago Metallic employees?	
4	A.	All of the sales staff, all the -- well, all the sales staff in Lake Zurich and then the engineers in Tennessee.		7	A.	Well, the only Chicago Metallic employee would be Bill McCoy, who stayed on with American Pan, and then Mike Cornelius, who's still with CM Products, which is -- I worked for CM Products.	
5	Q.	Would Mr. Rick Barton have had access to these documents?		12	Q.	Other than that, do you know if those documents are located anywhere else?	
6	A.	Yes, he did.		13	A.	No, not other than that and the network.	
7	Q.	Did Mr. Barton know that you had these documents on your laptop?		14	Q.	What date did you leave Chicago Metallic?	
8	A.	Yes, he did.		18	A.	The first week of October 2005.	
9	Q.	Are these the types of documents, Ms. Bryan, that were compiled by you during the course and scope of your employment at Chicago Metallic?		19	Q.	Now, after you left Chicago Metallic in October of 2005, you subsequently took a job at Lockwood, correct?	
10	A.	Yes.		22	A.	I gave my notice about a month prior to the acquisition, and I then went to a company called Focus Products Group, which is in the	
11	Q.	When you left Chicago Metallic, did you -- strike that.					
12	A.	Did anyone offer or request that you return these documents?					
13	A.	No.					
14	Q.	Did you discuss the fact that those documents were on your computer with Mr. Barton?	10				
15	A.	No.		1	Q.	When did you leave Focus Products Group?	12
16	Q.	What type of computer do you use?		2	A.	I was there for about two months before coming to Lockwood. So -- say December 1st of 2005, approximately.	
17	A.	It's a Sony Viao laptop.		7	Q.	December 1st of 2005 you were hired by Lockwood?	
18	Q.	You used that Sony at Chicago Metallic?		9	A.	Officially started with Lockwood January 1st of 2006.	
19	A.	Uh-huh. Yes.		11	Q.	How did you find your job with Lockwood?	
20	Q.	And you still have that same computer?		13	A.	I received a phone call from Mario Casarin and Patrick Murray.	
21	A.	Yes, I do.		15	Q.	When was that phone call?	
22	Q.	Did Mr. Barton allow you to take that computer when you left Chicago Metallic?		16	A.	Sometime in November 2005.	
23	A.	Yes.		17	Q.	Tell me about that phone call, the substance of it.	
24	Q.	You had a conversation with him about that?		19	A.	The nature was just to ask if I would be interested in employment.	
25	A.	Yes. He allowed the other sales staff also to keep their laptop. Specifically, Bill McCoy and Mike Cornelius.		21	Q.	Who initiated that call?	
26	MR. PRICE:	What was that second name?		22	A.	I believe the first call came from Mario Casarin.	
27	A.	Bill McCoy and Mike Cornelius.		24	Q.	Did you know Mario prior to that phone	
28	Q.	Was there ever a discussion about any of these documents being on the computer?					
29	A.	No.					
30	Q.	Are these documents still on your computer?					
31	A.	Yes.					

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1 Q. You would reference them for custom
2 jobs in your employment at Lockwood?

3 A. Yes, for pan specifications.

4 Q. Now, when you say specifications,
5 pricing or sizing or -- describe for me what you
6 mean by referencing.

7 A. These are custom products, so I
8 referenced them for the pan specifications for
9 measurements and features that went on the pans in
10 lieu of acquiring a sample from the customer.

11 Q. Did you ever use these documents for
12 leads with customers?

13 A. No.

14 Q. Since you joined Lockwood, have you
15 shared these documents with anyone other than
16 Mr. Murray?

17 A. No.

18 Q. You haven't shared them with anyone at
19 Lockwood or outside of Lockwood?

20 A. No. There may have been maybe one
21 drawing that I've sent to Mario. But, no, not the
22 extent of the files, no.

23 Q. You haven't shared these documents with
24 any third parties?

17

1 Q. Was it shortly after you were hired by
2 Lockwood?

3 A. I'd say probably several months into my
4 employment.

5 Q. Several meaning three or four?

6 A. Say three plus.

7 Q. But you did not give the entire files
8 to Mr. Murray until approximately a year after
9 your hiring?

10 A. Yes.

11 Q. And tell me about how you came to give
12 those -- the entire file to him.

13 A. He requested them.

14 Q. Was it in the context of a particular
15 job or had he just recalled that you had these?

16 A. He recalled that he had them. I don't
17 know why he asked for them, but --

18 Q. Did he call you up and ask for them?

19 A. It was during one of my visits to
20 Canada, and I just copied them on a little zippy
21 thing.

22 MR. PRICE: Thumb drive?

23 THE WITNESS: Yeah.

24 Q. Did you ask him why he needed them?

19

1 A. No.

2 Q. Let's go back to when Mr. Murray
3 learned of these documents. Was that through a
4 specific conversation with you?

5 A. I believe it was just in the midst of a
6 job or a quote we were being asked to do, and I
7 just said I'd look back on some of my history and
8 found a drawing that related -- or part of a
9 custom job that related to something we were
10 working on, and that kind of led to the files that
11 I had.

12 Q. Well, walk me through that conversation
13 and how Mr. Murray came to know that you had all
14 of these documents.

15 A. I don't recall the conversation, other
16 than we were working on a custom project, and I
17 just searched some of my history and, you know,
18 found a drawing that helped us spec the pan.

19 Q. Did he request that you give those
20 documents to me?

21 A. He requested them much later on,
22 probably after a year of my employment.

23 Q. When was that initial conversation?

24 A. I don't recall.

18

1 MR. MATTO: Objection. He didn't --
2 there's no indication that he said he needed them.

3 Q. Did he tell you why he wanted them?

4 A. No. He asked -- he just asked for a
5 copy of them.

6 Q. Did you ask him why he wanted them?

7 A. No.

8 Q. Did you feel at liberty to share the
9 documents with him?

10 A. Yes.

11 Q. Why?

12 A. They're outdated, and I just figured
13 they would be helpful for reference.

14 Q. Helpful to Lockwood?

15 A. Helpful in timesaving for reference of
16 pan specifications.

17 Q. For Lockwood?

18 A. Yes.

19 Q. Now, while you were employed at Chicago
20 Metallic, did you ever share these documents with
21 any competitors?

22 A. No.

23 Q. Would you have felt at liberty to do
24 so?

20

1 State of Ohio : C E R T I F I C A T E

2 County of Franklin: SS

3 I, Stacy Rowley, a Notary Public in and for the
4 State of Ohio, certify that Jennifer M. Bryan
5 was by me duly sworn to testify to the whole truth
6 in the cause aforesaid; testimony then given was
7 reduced to stenotype in the presence of said
8 witness, afterwards transcribed by me; the
9 foregoing is a true record of the testimony so
10 given; and this deposition was taken at the time
11 and place specified on the title page.

12 Pursuant to Rule 30(e) of the Fed. R. Civ. P.,
13 the witness and/or the parties have not waived
14 review of the deposition transcript.

15 I certify I am not a relative, employee,
16 attorney or counsel of any of the parties hereto,
17 and further I am not a relative or employee of any
18 attorney or counsel employed by the parties hereto,
19 or financially interested in the action.

20 IN WITNESS WHEREOF, I have hereunto set my hand
21 and affixed my seal of office at Columbus, Ohio, on
22 August 1, 2007.

23 Stacy M. Rowley

24 Stacy Rowley, Notary Public - State of Ohio
My commission expires August 6, 2006.